IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.2902 OF 2006

Mrs.Marium Alizulfikar Sethwala .. Applicant

Versus

Riyaj J. Patrawala & Anr. .. Respondents

Mr.Osman Chishty i/b. Parvez Ubharye for applicant

Mr.Y.M.Nakhwa, A.P.P. for State

Mr.Riyaz Patrawala respondent No.1 in person.

CORAM : S.C.DHARMADHIKARI, J.

DATE : 10th November 2006.

P.C.

. Application is placed before me for hearing or interin reliefs.

2. Criminal application is admitted by this Court because of the averments of the complainant that present applicant is not the drawee of subject cheque but had assured that the cheque would be cleared. In such circumstances, prima facie, the Court was of the opinion that the complaint does not disclose any offence as far as applicant is concerned.

3. At this stage itself, the original complainant has appeared before me in person. After the matter was heard for some time, he makes a statement that he wants to delete applicant from the array of accused. Applicant is original accused No.3.

4. In the light of the statement of the party in person, original complainant, applicant is deleted as accused from the criminal case. Criminal Case, therefore, would stand quashed

insofar as applicant - accused No.3, only.

5. This application is made absolute in the above terms. In the light of the statement made, there is no need for considering the application for interim relief. Complaint be now proceeded against other accused and as the original complainant is senior citizen, learned Magistrate to endeavour and dispose of the same as expeditiously as possible.

(S.C.Dharmadhikari, J)